

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TRIMBLE NAVIGATION LTD.,

Plaintiff,

No. C 03-1604 PJH

v.

**ORDER GRANTING AND  
DENYING SUMMARY JUDGMENT**

RHS, INC., et al.,

Defendants.

The parties' cross-motions for summary judgment and defendants' motion for leave to amend their amended answer and counterclaims came on for hearing on August 15, 2007 before this court. Plaintiff, Trimble Navigation, Ltd. ("plaintiff"), appeared through its counsel, John Cooper, Lucas Huizar, Nan Joesten, and William Pelton. Defendants RHS, Inc. ("RHS"), CSI Wireless, Inc. ("CSI"), and Satloc Inc. ("Satloc")(collectively "defendants") appeared through their counsel Gerald Dodson, Mark Brown, Erica Wilson, and Steven Tang. The court hereby GRANTS in part and DENIES in part the motions for summary judgment, and GRANTS the motion for leave to amend, summarized as follows:

1. Plaintiff's motion for summary judgment is DENIED as to both infringement and defendants' invalidity defense.
2. Defendants' motion for summary judgment as to non-infringement is GRANTED.
3. Defendants' motion for leave to amend their Amended Answer and Counterclaims is GRANTED.
4. The parties' requests to file under seal various briefs, documents and deposition transcripts are all denied, except that defendant may redact and

1 file under seal those portions of documents and transcripts that actually  
2 reveal source code. To that end, defendants shall submit within one week a  
3 revised administrative request identifying the excerpts, if any, that actually  
4 reveal source code. Plaintiff shall immediately replace redacted documents  
5 with unredacted ones. Defendants have one week following the court's  
6 approval of their revised request, in order to do the same.

7 This summary order is issued in order to give the parties the benefit of the court's  
8 decision at the earliest practicable time, so that the parties may effectively prepare for the  
9 October 11, 2007 pretrial conference. The summary order shall be followed by a further,  
10 and more detailed, memorandum and order.

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12 **IT IS SO ORDERED.**

13 Dated: August 16, 2007



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15 PHYLLIS J. HAMILTON  
16 United States District Judge  
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